

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

QUINTON SHORTER,

Plaintiff,

No. CIV S-03-2359 LKK KJM P

vs.

EDWARD ALAMEIDA, et al.,

Defendants.

ORDER

Plaintiff is a prisoner proceeding pro se with a civil rights action under 42 U.S.C. § 1983. On January 21, 2005, the court filed an order, denying plaintiff's request for a stay of proceedings. However, on February 24, 2005, plaintiff filed a second motion for a stay, apparently again seeking time to exhaust his administrative remedies.

Plaintiff is hereby formally cautioned that a litigant may suffer restricted access to the court where it is determined that he has acted vexatiously or has willfully abused the judicial process. Fink v. Gomez, 239 F.3d 989, 991-92 (9th Cir. 2001); DeLong v. Hennessey, 912 F.2d 1144 (9th Cir. 1990). In this case, plaintiff filed a motion seeking relief, which the court previously has found to be unavailable. Should plaintiff file additional frivolous or repetitive motions, the court may limit his filings or recommend that the action be dismissed.

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1 Accordingly, IT IS ORDERED that plaintiff's February 24, 2005 motion for a stay
2 of proceedings is denied.

3 DATED: April 25, 2005.

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6 UNITED STATES MAGISTRATE JUDGE
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